

H. Jenkins
03-30-16

AO 91 (Rev. 02-09) Criminal Complaint

UNITED STATES DISTRICT COURT 713-567-9521

for the
Southern District of Texas

United States Courts
Southern District of Texas
FILED

United States of America)

v.)

Luis GOMEZ-Lopez)

Defendant)

Case No. 4:16mj462

March 30, 2016
David J. Bradley, Clerk of Court

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.


On or about the date of 03/28/2015 in the county of Harris in the Southern District of Texas, the defendant violated Title 8 U. S. C. § 1324(a)(1)(A)(iii), 1324(a)(1)(A)(v)(I) an offense described as follows:

knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceal, harbor or shield from detection, or attempts to conceal, harbor or shield from detection, such alien in any place, including any building or any means of transportation, and did conspire with others known and unknown to commit aforementioned offense all done for the purpose of commercial advantage or private financial gain.

This criminal complaint is based on these facts:

See attached Affidavit in support of the Criminal Complaint

☒ Continued on the attached sheet.


Complainant's signature
Juan G. Pagan, Special Agent, HSI
Printed name and title

Sworn to before me and signed in my presence.

Date: 03/30/2016

City and state: Houston, Texas


Judge's signature
Dean H. Palermo, U.S. Magistrate Judge
Printed name and title

CRIMINAL COMPLAINT AFFIDAVIT

1. I am a federal law enforcement officer within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request an arrest warrant. I have been employed by Immigration & Customs Enforcement (ICE), Homeland Security Investigations (HSI) as an HSI Special since May 2004, and I am presently assigned to HSI Houston, Texas. I am classified, trained and employed as a Federal Law Enforcement Officer with statutory arrest authority charged with conducting criminal investigations of alleged violations of federal criminal statutes. Prior to that, I was employed as a Senior Border Patrol Agent with the United States Border Patrol (April 2001 through May 2004), and as a Police Officer with the Police of Puerto Rico (March 1998 through April 2001). In June 1997, I graduated from University of Puerto Rico with a Bachelor of Political Science. In June 2001, I graduated from the Interamerican University of Puerto Rico with a Master of Arts in Criminal Justice. I have participated in investigations of human smuggling, drug smuggling, money laundering, and, among other things, have conducted or participated in surveillances, the execution of search warrants, debriefings of informants and reviews of taped conversations. Through my training, education, and experience, I have become familiar with the manner in which undocumented aliens are transported, housed, and distributed and the methods of payments for smuggled aliens.

2. The information in this affidavit is based on my personal knowledge and information provided to me by other law enforcement officers and individuals. The information in this affidavit is provided for the limited purpose of establishing probable

cause. The information is not a complete statement of all the facts related to this case.

3. On March 28, 2016, at approximately 9:40 PM, Harris County Sheriff Office Deputy Price, observed a red SUV driving the wrong way, southbound in the northbound lanes of the Eastex Freeway, Service Rd. Deputy Price initiated a traffic stop in the parking lot of the nearby Shell gas station, located at the southeast corner of the Eastex Freeway and Will Clayton Parkway. Upon approaching the vehicle, the driver, later identified as Luis GOMEZ-Lopez, exited the vehicle and walked toward Deputy Price. Deputy Price realized that GOMEZ-Lopez was trying to divert his attention from the vehicle. Deputy Price checked the vehicle, a red 2005 Dodge Durango, displaying Maryland license plates #A278978 and found it was occupied by seven other Hispanic passengers. According to Deputy Price most of them did not have any form of identification.

4. On March 28, 2016, HSI Houston was notified of the situation by HCSO. HSI Houston SA Pagan, SA Kaufmann and SA Irwin arrived to the scene and determined that all subjects were illegally present in the United States. HCSO and HSI Houston transported the 8 subjects to the Houston Immigration Detention Center located at 5520 Greens Rd., Houston, Texas for administrative processing.

5. On March 29, 2016, HSI Special Agent (SA) Juan Pagan interviewed Gleivy FLORES-Garcia. FLORES was administratively arrested at the location of the traffic stop, on March 28, 2016 for being illegally present in the United States. FLORES stated that she was taken to an apartment the night before. On March 28, 2016, she was instructed by an unknown man to get ready because she was going to leave that night. She was placed on a blue SUV. The blue SUV drove FLORES to a parking lot where

they met with the driver of the red SUV where she was apprehended. FLORES stated that the driver of the red SUV was the same man that was driving the SUV when they were stopped by the police. FLORES described the driver of the red SUV as a Hispanic male, medium complexion and wearing a black hat.

6. On March 29, 2016, HSI Special Agent (SA) Juan Pagan interviewed Denis AMAYA-Villanueva was administratively arrested at the location of the traffic stop, on March 28, 2016 for being illegally present in the United States. AMAYA stated that he arrived to Houston on Saturday March 26, 2016. AMAYA was taken to a house on an unknown location in Houston, Texas. On March 28, 2016, AMAYA was told to get ready to leave at night. AMAYA was taken to a parking lot where the red SUV where he was detained was waiting for him. AMAYA stated that the man driving the red SUV was the same man driving at the time they were detained by the police. AMAYA identified the driver as a Hispanic male, medium complexion, small height and wearing a black hat.

7. On March 29, 2016, HSI Special Agent (SA) Juan Pagan interviewed Fernando TECUN-Colo, TECUN was administratively arrested at the location of the traffic stop, on March 28, 2016 for being illegally present in the United States. TECUN stated that he arrived to Houston on June 12, 2015. TECUN was working in landscaping since he arrived to Houston. TECUN wanted to move to Boston, MA. A friend of TECUN found a transportation service that could transport him to Boston. The transportation service was going to charge TECUN \$1,200 in USD in order to transport him from Houston, Texas to Boston, Ma. On March 28, 2016, a man driving a red SUV picked him up at the apartment complex where he lives. TECUN stated that at the time of their apprehension the red SUV was driven by the same person that picked him up at this apartment.

TECUN also stated that the driver of the red SUV was a Hispanic male wearing a black hat.


8. On March 29, 2016, HSI SA Juan Pagan read and explained the ICE Statement of Rights (statutory warnings) in Spanish to GOMEZ who acknowledged that he read and understood the rights by initialing each, then freely and voluntarily waived them in writing. GOMEZ stated approximately 5 months ago he met a man that he only knows as Rolando. Rolando offered GOMEZ a job in construction and provided him with the RED SUV. Approximately 8 days ago GOMEZ came to Houston to visit a friend that he only knows as Jose Luis. GOMEZ could not provide an address or location of residence for Jose Luis. According to GOMEZ he asked some friends if they can find him some passengers in order to help him to pay for the gasoline for his trip to Maryland. He told his friends that he wanted to charge \$75 to 100 per passenger. GOMEZ arranged with his friends in order to pick up the passengers at a parking lot and one of the passengers was picked up at his apartment complex. GOMEZ also stated that he knew that all the passengers were illegally in the United States.

11. Based on the foregoing facts, I respectfully request an arrest warrant be issued for Luis GOMEZ-Lopez for a violation of 8 U.S. Code Section 1324.



Juan G. Pagan, Special Agent
Homeland Security Investigations

Sworn to and subscribed before me this 30th day of March, 2016.



Honorable Dena H. Palermo
United States Magistrate Judge
Southern District of Texas